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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

USA HERALD LLC,

Plaintiff,

vs.

JOHN MONARCH, et al.,

Defendants.

Case

**VERIFIED COMPLAINT FOR
VIOLATION OF 17 USCS § 512(F)
AND PRELIMINARY AND
PERMANENT INJUNCTIVE
RELIEF**

DEMAND FOR JURY TRIAL

1 Now comes Plaintiff USA Herald LLC (“USA Herald”), by and through
2 undersigned counsel, and for its Complaint against Defendant John Monarch (“Mr.
3 Monarch”) and Doe Defendants 1-20 (“Doe Defendants”), states and alleges the
4 following on information and belief:

5 **NATURE OF THE ACTION**

6 1. Mr. Monarch – a blackmailer - is relentless in his predation of Richard
7 Gorman (“Mr. Gorman”) and his businesses. (*See* Declaration of Richard Gorman,
8 attached hereto as **Exhibit A**, at ¶ 2.)

9 2. Mr. Monarch is a self-proclaimed technology executive and
10 cryptocurrency expert who has spent his career engaged in scams. (*Id.*, at ¶ 3.)

11 3. What Mr. Monarch clouds as legitimate business pursuits are schemes to
12 defraud. (*Id.*, at ¶ 4.) For example, Mr. Monarch has owned either directly or
13 through controlling entities negative option free trial weight loss scams which have
14 amassed thousands of consumer complaints. (*Id.*, at ¶ 5.)

15 4. Additionally, a cryptocurrency offering created by Mr. Monarch,
16 ShipCoin, was fined \$2.05 million by the Securities Exchange Commission for the
17 sale of unregistered securities and subsequently shutdown. (*Id.*, at ¶ 6.)

18 5. For over a decade, Mr. Monarch has engaged in an unlawful scheme to
19 injure Mr. Gorman’s business and professional reputation. (*Id.*, at ¶ 7.)

20 6. First, Mr. Monarch began by engaging in a blackmail scheme of Mr.
21 Gorman – demanding \$500,000 in cryptocurrency from him or Mr. Monarch would
22 proceed a defamatory smearing of Mr. Gorman’s name and reputation. (*Id.*)

23 7. When Mr. Gorman refused to pay Mr. Monarch, Mr. Monarch began
24 using websites along with social media posts to defame Mr. Gorman until he
25 complied and sent the \$500,000 in bitcoin to Mr. Monarch. (*Id.*, at ¶ 8.) This
26 defamation included what can only be described as horrific statements, including,
27 among other things, assertions that Mr. Gorman’s daughter was born from a rape.
28

1 (*Id.*)

2 8. On August 8, 2014, Mr. Gorman filed suit against Mr. Monarch in the
3 Court of Common Pleas of Greenville, South Carolina, for defamation and civil
4 conspiracy. (*Id.*, at ¶ 9.)

5 9. The Greenville South Carolina Court found Mr. Monarch in contempt for
6 failure to comply with discovery orders on February 26, 2025, held Mr. Monarch in
7 default, assessed him a fine of \$7,500, struck his responsive pleading, and denied
8 his motion for summary judgment. (*Id.*, at ¶ 10.); (February 26, 2025, Order,
9 attached hereto as **Exhibit B.**)

10 10. Especially pertinent, the Greenville Court held that “[a]fter much
11 deliberation, the Court finds that the Defendant has willfully destroyed or removed
12 relevant and material evidence, which most like[ly] occurred after discovery had
13 been presented to him and after he was Ordered by the Court to do so.” (*Id.*, at ¶
14 11.); (**Exhibit B.**)

15 11. Mr. Gorman also filed suit against Mr. Monarch and his partners in the
16 Court of Common Pleas of Philadelphia County, which was removed on February
17 11, 2014, to the U.S. District Court of the Eastern District of Pennsylvania.
18 (**Exhibit A**, at ¶ 13.)

19 12. On March 20, 2015, Mr. Monarch’s blackmail culminated in a judgment
20 for defamation against Mr. Monarch’s partner and co-defendant, Karl F. Steinborn,
21 for \$3,047,608.05 – along with the granting of a permanent injunction precluding
22 Mr. Steinborn from defaming Mr. Gorman. (*Id.*, at ¶ 14.); (See March 20, 2015,
23 Order, attached hereto as **Exhibit C.**)

24 13. In addition, the court issued a permanent injunction ordering Mr.
25 Steinborn to “[c]ease and desist defaming Plaintiff Rich Gorman, including
26 defaming Plaintiff or Plaintiff’s family or employees orally, defaming plaintiff
27 online, or in any other method of communication;” and “[r]emove the defamation
28 of Plaintiff Gorman referenced in the First Amended Complaint, to the extent that it

1 still exists in any online form or otherwise, and to prevent further reposting and/or
2 republication of the defamatory material; and to remove the subsequent defamation
3 of Plaintiff Gorman.” (*Id.*, at ¶ 15.); (**Exhibit C.**)

4 14. Although Mr. Gorman was proven to be the victim of a scheme in Court,
5 Mr. Monarch began to utilize the Digital Millennium Copyright Act (“DMCA”)
6 and Google, LLC’s (“Google”) internal policies by issuing false notices under 17
7 U.S.C.S. §512(f) (“DMCA takedown(s)”) in an attempt to de-index Mr. Gorman’s
8 online publication – USA Herald, from Google search results. (**Exhibit A**, at ¶ 21.)

9 15. USA Herald is an investigative publication owned by Richard Gorman
10 which posts articles and news publications. (*Id.*, at ¶ 17.)

11 16. USA Herald is a full scope news publication, publishing numerous
12 articles on its website on a daily basis and generating consistent ad-revenue. (*Id.*, at
13 ¶ 18.)

14 17. Among other topics, USA Herald has posted articles about Mr. Monarch,
15 including, but not limited to, articles that: (1) the SEC shut down an approximately
16 \$30,000,000 fraud that Mr. Monarch was involved in; and that (2) Mr. Monarch’s
17 cryptocurrency – Shipchain, was ordered to pay \$2,000,000 to the SEC for the sale
18 of securities not registered with the SEC. (*Id.*, at ¶ 19.)

19 18. All of the information published about Mr. Monarch is factual, true, and
20 newsworthy. (*Id.*, at ¶ 20.)

21 19. USA Herald has a presence on Google search results and utilizes that
22 presence to generate revenue. (*Id.*, at ¶ 38.)

23 20. As early as 2021, Mr. Monarch has been submitting, or having agents
24 submit on his behalf, false DMCA takedowns in violation of 17 USCS § 512(f) to
25 Google against USA Herald with the intention of having the articles de-indexed
26 from the Google search platform. (*Id.*, at ¶ 22.)

27 21. Although USA Herald has submitted counter-notices, Mr. Monarch’s
28 intentional and continuous conduct resulted in a de-indexing of some pages of USA

1 Herald from the Google search platform, resulting in significant damages. (*Id.*, at ¶
2 41.)

3 22. Upon information and belief, Google's internal policy provides that when
4 Google receives a high volume of DCMA removal requests which it finds valid, it
5 is able to use the volume of the removal requests to demote other an accused
6 infringer's other content from the site in its search results. (*Id.*, at ¶ 43.)

7 23. Per Google's policies, and given Mr. Monarch's likelihood to submit
8 additional DMCA requests, Mr. Monarch's past and future conduct may result in
9 immediate and permanent damage to USA Herald and its online presence. (*Id.*, at ¶¶
10 44-45.)

11 **THE PARTIES**

12 24. USA Herald incorporates the allegations set forth in Paragraphs 1-23 as if
13 fully restated herein.

14 25. USA Herald is a limited liability corporation, with its principal place of
15 business in the state of Delaware.

16 26. Defendant John Monarch is an individual and a resident of Greenville,
17 South Carolina.

18 27. John Does 1-20 are individuals whose addresses are unknown, and who
19 are not yet known themselves, who may be liable for the conduct set forth in this
20 Complaint.

21 **JURISDICTION AND VENUE**

22 28. USA Herald incorporates the allegations set forth in Paragraphs 1-27 as if
23 fully restated herein.

24 29. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 because
25 Plaintiff's claim is made under the DMCA.

26 30. The counter-notification submitted by Defendants designated an address
27 in Newport Beach, California. Therefore, pursuant to 17 U.S.C.S. § 512(g)(3)(D),
28

jurisdiction is proper in this Court.

FACTUAL BACKGROUND

31. USA Herald incorporates the allegations set forth in Paragraphs 1-30 as if fully restated herein.

32. The following are violations that take place after March 15, 2022, and therefore fall within the statute of limitations for copyright claims under the DMCA.

First False DMCA Notice

33. USA Herald incorporates the allegations set forth in Paragraphs 1-32 as if fully restated herein.

34. Upon information and belief, on May 17, 2022, Mr. Monarch had an unknown individual identified as “Gim Wilson,” send a DMCA Takedown to Google. (**Exhibit A.**, at ¶ 23.) (Lumen Database Copyright Claim 1, attached hereto as **Exhibit D.**)

35. This DMCA takedown indicated that USA Herald infringed on the copyright of Mr. Monarch. (**Exhibit A.**, at ¶ 25.); (**Exhibit D.**)

36. This is untrue and has no factual or legal basis. (**Exhibit A.**, at ¶ 25.)

37. Upon information and belief, Mr. Monarch had actual knowledge that this was untrue and/or failed to consider the potential that the allegedly infringing material was unprotectable.

Second and Third False DMCA Notices

38. USA Herald incorporates the allegations set forth in Paragraphs 1-37 as if fully restated herein.

39. On October 21, 2024, Mr. Monarch submitted two DMCA takedowns to Google with identical descriptions of “[a] photo of myself that I wholly own the rights to, and have not authorized any sort of derivative works thereof.” (**Exhibit A.**, ¶ 27); (See Lumen Database Copyright Claims 2 and 3, attached hereto as **Exhibits**

1 **E and F.)**

2 40. These DMCA takedowns indicated that USA Herald infringed on the
3 copyright of Mr. Monarch. (**Exhibit A**, at ¶ 29.)

4 41. This is untrue and has no factual or legal basis. (*Id.*)

5 42. Upon information and belief, Mr. Monarch does not own the copyright to
6 one of the photographs he reported because the photograph is a screen-grab from a
7 video made by an organization called Decentralized during a conference in 2018 in
8 Athens, Greece. (*Id.*, at ¶ 30.)

9 43. This photograph was published by USA Herald in an article about Mr.
10 Monarch's misconduct. (*Id.*)

11 44. Decentralized recorded and posted, via YouTube, the speeches of the
12 speakers who came to the decentralized conference – including Mr. Monarch. (*Id.*,
13 at ¶ 31.)

14 45. The other photograph central to Mr. Monarch's DMCA claim is a portrait
15 and caricature of Mr. Monarch owned by USA Herald. (*Id.*, at ¶ 32.)

16 46. This photograph was created by a designer that USA Herald hired and
17 commissioned specifically to create the photograph. (*Id.*)

18 47. This photograph is not transformative of any work that was owned by Mr.
19 Monarch. This photograph only bears a passing resemblance to Mr. Monarch and is
20 an original creation. (*Id.*, at ¶ 33.)

21 48. Mr. Monarch, nor his agents, recorded, created, or are the copyright
22 owners of the photographs which were the subject of Mr. Monarch's DMCA
23 Complaint. (*Id.*, at ¶ 34.)

24 49. Upon information and belief, Mr. Monarch had actual knowledge that his
25 statement that he was the copyright owner was untrue and/or failed to consider the
26 potential that the allegedly infringing material was unprotectable.

27 **Fourth False DMCA Notice**

28 50. USA Herald incorporates the allegations set forth in Paragraphs 1-49 as if

1 fully restated herein.

2 51. On November 7, 2024, Mr. Monarch submitted a DMCA takedown
3 report to Google with a description of “A screenshot of a video of John Monarch
4 speaking.” (**Exhibit A**, at ¶ 35.); (Lumen Database Copyright Claim 4, attached
5 hereto as **Exhibit G**.)

6 52. This DMCA takedown indicated that USA Herald infringed on the
7 copyright of Mr. Monarch. (*Id.*, at ¶ 35.)

8 53. This is untrue and has no factual or legal basis. (*Id.*, at ¶ 37.)

9 54. Upon information and belief, Mr. Monarch does not own the copyright to
10 this photograph as the photograph is a screen-grab from a video made by an
11 organization called Decentralized during a conference in 2018, in Athens, Greece.
12 (*Id.*)

13 55. Decentralized recorded and posted, via YouTube, the speeches of the
14 speakers who came to the decentralized conference – including Mr. Monarch. (*Id.*)

15 56. Upon information and belief, Mr. Monarch had actual knowledge that his
16 statement that he was the copyright owner was untrue and/or failed to consider the
17 potential that the allegedly infringing material was unprotectable.

18 **Fifth False DMCA Notice**

19 57. USA Herald incorporates the allegations set forth in Paragraphs 1-56 as if
20 fully restated herein.

21 58. On December 10, 2024, Mr. Monarch submitted a DMCA takedown
22 report to Google with a description of “A video of John Monarch speaking at an
23 event in Athens, Greece.” (**Exhibit A**, at ¶ 38.); (See Lumen Database Copyright
24 Claim 5, attached hereto as **Exhibit H**.)

25 59. This DMCA takedown indicated that USA Herald infringed on the
26 copyright of Mr. Monarch. (*Id.*)

27 60. This is untrue and has no factual or legal basis. (*Id.*, at ¶ 40.)

28 61. Upon information and belief, Mr. Monarch does not own the copyright to

1 this photograph as the photograph is a screen-grab from a video made by from a
2 video from an event during a conference in 2018. (*Id.*)

3 62. Upon information and belief, Mr. Monarch had actual knowledge that his
4 statement that he was the copyright owner was untrue and/or failed to consider the
5 potential that the allegedly infringing material was unprotectable.

6 **CAUSES OF ACTION**

7 **Five Counts**

8 **17 U.S.C.S. § 512(f)**

9 63. USA Herald incorporates the allegations set forth in Paragraphs 1-62 as if
10 fully restated herein.

11 64. Mr. Monarch has violated 17 U.S.C.S. § 512(f).

12 65. At all relevant times, Mr. Monarch knowingly misrepresented that
13 material posted by USA Herald is infringing on his copyright.

14 66. Mr. Monarch had actual knowledge that this was untrue and/or failed to
15 consider the potential that the allegedly infringing material was unprotectable.

16 67. Under 17 U.S.C.S. § 512(c)(3)(A)(v), Mr. Monarch was required to make
17 a statement that he had a good faith belief that the use of the material in the manner
18 complained of is not authorized by the copyright owner, its agent, or the law, each
19 time he submitted a DMCA takedown request.

20 68. Mr. Monarch or his agents made these statements at least five times, and
21 each time they were false.

22 69. USA Herald was injured by Mr. Monarch's false representations.

23 70. Upon information and belief, in reliance on Mr. Monarch's false reports,
24 Google de-indexed USA Herald's presence on the Google Search results.

25 71. Mr. Monarch's violations were malicious and done with reckless
26 disregard of the damage to USA Herald.

27 72. As a result of Mr. Monarch's violations of 17 USCS § 512(f), USA
28 Herald has been damaged and will continue to be damaged, including, but not

1 limited to, loss of goodwill on the Google platform, damage to USA Herald's
2 reputation, lost advertisement placement, and costs and fees associated with
3 remedying the consequences of Mr. Monarch's false DMCA takedowns.

4 **REQUEST FOR RELIEF**

5 WHEREFORE, USA Herald respectfully requests that this Honorable Court
6 provide the following relief:

- 7 – Incidental, special, consequential, compensatory, punitive, and treble
8 damages;
9 – Reasonable attorney's fees and the full costs of this action;
10 – Preliminary and Permanent Injunctive Relief as follows:
11 1. Restraining Mr. Monarch and his agents from taking any actions to
12 remove or disable access to content hosted on the USA Herald
13 platform, including by submitting DMCA Takedowns; and
14 2. To the extent that Mr. Monarch has taken such actions already, for
15 those actions to be retracted or cancelled;
16 – All other relief to which USA Herald is entitled.

17
18 DATED: March 24, 2025

WINTHROP LAW GROUP, P.C.

19 By: /s/ Reid Winthrop
20 REID A. WINTHROP
21 Attorneys for Plaintiff,
22 USA Herald LLC

23 DATED: March 24, 2025

CHEDID & CO.

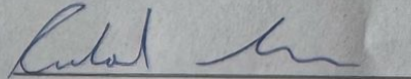
24 By: /s/ Jed Chedid
25 JED CHEDID
26 Attorneys for Plaintiff,
27 USA Herald LLC
28 (Pro Hac Vice Application
Pending)

VERIFICATION

I, Richard Gorman, declare:

I am the owner of Plaintiff USA Herald LLC. I have read the foregoing Plaintiff's Verified Complaint For Violation Of 17 USCS § 512(F) And Preliminary And Permanent Injunctive Relief, and know the contents thereof. The same is true of my own knowledge except as to those matters which are herein alleged on information and belief and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed this 23 day of March, 2025, at Philadelphia, Pennsylvania.


Richard Gorman

JURY TRIAL DEMAND

Plaintiff USA Herald LLC hereby demands a jury trial on all claims for relief.

DATED: March 24, 2025

WINTHROP LAW GROUP, P.C.

By: /s/ Reid Winthrop
REID A. WINTHROP
Attorneys for Plaintiff,
USA Herald LLC

DATED: March 24, 2025

CHEDID & CO.

By: /s/ Jed Chedid
JED CHEDID
Attorneys for Plaintiff,
USA Herald LLC
(*Pro Hac Vice Application*
Pending)